

had married again, the exercise of the power would have depended upon her consent alone. But I think his share might also include his contingent share by survivorship in case the younger child should die before twenty-one without leaving issue.

It is not necessary now to determine how this power would have been exercised, because, according to the judgment of the majority of the Court, the property can now be divided. It seems, therefore, to be that the word "or" is inapplicable to the intention of the will, and that the authorities (see many of them collected in *Mortimer v. Hardy*, 6 C. B. p. 5th Ed., p. 1) do not preclude the alteration, because some meaning may be given to it as intended by the testator. The result, consequently, is, that the specific devise to John Robert Radford vested in him absolutely at twenty-one; that as to the two-thirds of the residue, the devise became absolutely entitled at twenty-one, the division to take place at the wife's death; and that with the consent of the wife in the event that have happened, the whole may be now divided.

PARLIAMENTARY PAPER.

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES.

FOURTH ANNUAL REPORT FOR THE YEAR ENDING 31ST DECEMBER, 1859.

The Registrar-General to the Honorable the Colonial Secretary.

General Registry Office, Sydney, 6th June, 1860.

Sir,—I do myself the honour to transmit herewith, for presentation to the Honorable the Colonial Secretary, the fourth annual report of the Registrar-General, in relation to the registration of births, deaths, and marriages registered in New South Wales during the year 1859. The ten districts which will be found grouped in the first division in table B (see Appendix) of the colony of Queensland, and the returns from that division of districts consequently embrace the eleven months ending 30th November only.

2. The table at foot shows the numbers registered in each quarter of the year, distinguishing males and females. The births numbered 14,412; the deaths numbered 6442; and the marriages numbered 3295, or 6899 persons married. There was an addition of 36,647 new names to the national records.

(A.)

Table showing the number of Births, Deaths, and Marriages registered in the colony of New South Wales during each quarter of the year ending 31st December, 1859.

Quarter.	Births.	Deaths.	Marriages.
1st Quarter.	3,612	1,612	812
2nd Quarter.	3,512	1,512	812
3rd Quarter.	3,412	1,412	812
4th Quarter.	3,312	1,312	812
Total.	14,412	6,442	3,295

The natural increase to the population by the excess of births over deaths was 8773, or, estimating the gross population at the middle of the year in round numbers at 350,000, at the rate of 2-5000 per cent. The increase in the number of marriages was 3-562 per cent.; and in 1857 it was 7-657, or 2-552 per cent. The rate of increase was therefore smaller last year than in either of the two previous years.

3. Looking to the actual number of births, deaths, and marriages registered, we find that the births and marriages exceeded the number registered in the previous year; whilst the number of deaths has decreased. The births were 613, and the marriages were 593 more in number; whilst the deaths were 241 less in number.

The annual rates of the year 1859 were of births 41-18, of deaths 18-12, and of persons married 18-12 to each 1000 persons living. These rates, as compared with the average of England and Wales, show an excess of 8-43 children born, and 2-49 persons married to 1000 living, whilst the mortality was 6-34 below the average of the other country, or, giving the results in another shape, there were of the estimated population in the colony last year, as compared with the average of England and Wales, viz.—

Born..... 1 in 24..... 1 in 31

Died..... 1 in 52..... 1 in 61

Married..... 1 in 41..... 1 in 61

I have not omitted any of the foregoing calculations for the registrations wanting in the first division of districts for the month of December, because their effect would be barely appreciable, the average monthly returns from the Queensland districts being—births 69, deaths 28, and marriages 19 only.

(B.)

Table showing the number of Births registered in the colony of New South Wales during each quarter of the year ending 31st December, 1859.

Quarter.	Births.
1st Quarter.	3,612
2nd Quarter.	3,512
3rd Quarter.	3,412
4th Quarter.	3,312
Total.	14,412

4. The births in Sydney were in the ratio of 1 in 25 of the estimated population, in the suburban districts 1 in 25, and in the country districts 1 in 24.

The number of births born to the number of females was in the proportion of 105 boys to 100 girls; in 1858 it was 106 boys to 100 girls.

The rejoined comparative table gives the births in each year from 1857 to 1859, averaged quarterly for the city and the suburban and country districts, respectively. The year 1856, being a broken year, is excluded.

(C.)

Table showing the number of Births registered in the colony of New South Wales during each quarter of the year ending 31st December, 1859.

Quarter.	Births.
1st Quarter.	3,612
2nd Quarter.	3,512
3rd Quarter.	3,412
4th Quarter.	3,312
Total.	14,412

The curious may, from the facts exhibited in this table, be able to deduce conclusions as to the effect the seasons have upon the fecundity of the population. The returns do not embrace the month of January, because the births registered in that month are not yet ascertained, but little. It was 4-16 to 100 living in 1857, 2-14 in 1858, and 4-12 in 1859.

There is a reason to believe that the slight decrease observable in the rate of births for last year is due to a decrease on the part of parents in the City of Sydney (during the last quarter of the year more particularly) to register the births of their children within the prescribed period (60 days).

This assumption is borne out by the figures in the table, where a decrease is noticeable in the number of births registered in Sydney during the last quarters of both 1858 and 1859.

The deficiency of 1859 was brought up by the increase in the first quarter of 1860, but the registers for 1860 do not show a corresponding increase, and from this circumstance I am inclined to believe that the decrease

is attributable to negligence on the part of parents, and not to any actual falling off in the number of births.

6. Taking the three years together, the second and third, or summer quarters, exceed the first and fourth, or winter quarters, in the number of births, viz.—

In Sydney, by..... 812

In the suburbs, by..... 60

In the country districts, by..... 562

Together..... 934

In Sydney the second quarter is the highest and the fourth quarter the lowest in point of numbers.

In the suburbs the fourth quarter is the highest and the first quarter the lowest; whilst in the country districts the third quarter is the highest and the first quarter the lowest.

The natural inference from the total results would seem to be that in this colony the cooler season is more prolific in births than the warm season is; or, in other words, the reverse of England, where the summer season is found to be the most fruitful.

The table below shows the number of illegitimate children, the number of twins, and the number of triplets registered during the year.

(D.)

Table showing the number of illegitimate children, twins, and triplets registered during the year 1859.

Category.	Number.
Illegitimate children.	112
Twins.	21
Triplets.	1
Total.	134

One stillborn not registered.

The number of children born out of wedlock was 465, or 3-225 per cent. on the total births; in 1858 the proportion was 2-390 per cent.; and in 1857 it was 2-353 per cent. These figures show a gradual increase in the proportion of illegitimate children, and to the deterioration of morals in the community, I have not sufficient data to enable me to determine.

Comparing our state with that of the mother country we are justified in taking a gloomy view of the question.

The proportion of children born out of wedlock in England and Wales fluctuates very materially in different years, but the average is about 4-9 per cent. on the total births, while in the Colony of Cumberland the proportion exceeds 10-0 per cent.; the average of England and Wales being somewhere between 6-0 and 7-0 per cent.

In the city of Sydney last year the proportion was 4-43 per cent., and in the suburbs 2-20 per cent.; or, if we class the two together, we reduce the metropolitan proportion to 3-48, or a little below that of London; whilst in the country districts 3-12 per cent. only of the births are registered as illegitimate.

The case of triplets, noted in the table, occurred in the district of Goulburn.

(E.)

Table showing the number of Marriages registered in the colony of New South Wales during each quarter of the year ending 31st December, 1859.

Quarter.	Marriages.
1st Quarter.	812
2nd Quarter.	812
3rd Quarter.	812
4th Quarter.	812
Total.	3,295

8. 3295 marriages were celebrated during the year, and of this number 1074 or nearly one-third—32-60 per cent.—were celebrated according to the rites of the Church of England; 820 or 34-90 per cent., according to the rites of the Roman Catholic Church; 859, or 27-00 per cent., by the Presbyterian; 215, or 6-43 per cent., by the Wesleyans; 140, or 4-25 per cent., by other Denominations; and 40, or 4-85 per cent., by the district registers.

Of the marriages performed by civil contract, three only were celebrated in Sydney, and seven in suburban districts, whilst 150 were celebrated by registers in the country districts. This fact goes to prove very clearly that whereas the services of the Church are available persons see by no means satisfied to substitute the civil ceremony; for it may fairly be assumed that the excess of marriages by civil contract in the country districts is owing entirely to the paucity of ministerial visitations, and not to any objection to or want of proper appreciation of the religious ceremony.

9. The table below shows the number of marriages celebrated in each quarter of the year 1857 to 1859, in the city, suburbs, and country districts, respectively.

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The decrease in the number of marriages celebrated in Sydney, as compared with 1857, to 1859, is not so very remarkable a feature in the pressure of the times upon the industrial classes.

At home the marriage registers are found to be a certain barometer of the condition and prospects of the people; and there is no reason to believe that the habits of the people of New South Wales; indeed, the figures before us would seem to prove that the same influences do produce the same effects; in people are well off, and employment is plentiful, they marry—when the times are bad, they refrain from marriage.

We know that in the city of Sydney, during the last two years, labour has not been so plentiful, nor have wages ruled so high, as they were during the six previous years, and we see the effect in the diminution of marriages, from 16 per 1000 in 1857, to 15-66 per 1000 in 1859; or, in other words, out of 1000 persons living in 1857, 37 were married; in 1858, 34 were married; and in 1859, only 31 were married.

Had the marriages proceeded in the same ratio to the population as we find them in 1857, there should have been 1128 marriages instead of 951.

Any serious check to the prosperity of the community has been seen to repress the natural increase of the population.

10. In the suburban districts, whilst the number of marriages exceeded the rate of 1858, they did not reach the standard of 1857. But in the country districts the number of marriages was a more equitable rate, it will be seen that the marriages have increased both in the number and in the rate per 1000.

11. I must not forget to notice the remarkable difference between the numbers of males and females who signed the registers with marks.

Table C, in the appendix, shows that out of 6090 persons married, no fewer than 1770, or 29-06 per cent., were males; of these 687, or 38 per cent., were females, and 1083, or 62 per cent., were males.

There can be no question that many women who make their marks are deterred by timidity from writing their names, and that they are influenced by timidity to a greater degree than men. Hence a great measure arises the apparent defective inferiority amongst them.

12. Relating to the returns of the Registrar-General of England, and comparing them with our own, I find that they show the proportion of 41 to 100 women to 33, and 39 to 100 men to 21, who make their marks instead of writing their names in the marriage registers. Deplorable defective as the state of education amongst us, I have reason to congratulate ourselves on the favourable comparison with the other country which this universally admitted test of the state of primary education affords.

It is to be regretted that the defects in the form of marriage certificate preclude the possibility of extending our inquiries into the relative age of persons married, and the number of marriages, and the number of re-marriages.

These and other inquiries which cannot be pursued would be interesting, as tending to illustrate the social, where a decrease is noticeable in the number of births registered in Sydney during the last quarters of both 1858 and 1859.

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WEST MAITLAND.

MONDAY, 2 P.M.—A meeting of the stewards of the Maitland Annual Races, was held to-day, at 2 o'clock, for the purpose of considering the postponing the Races in consequence of the inclement weather. Those present were Messrs. J. H. Johnstone, F. M. Doyle and H. Vandenberg, J. P.'s, H. Rourke, K. Borthwick in the name of the Jockey Club, and J. H. Clark, Clerk of the Course, who had been asked to examine the prevailing ground, reported that it was in a very dangerous condition, and utterly unfit for racing purposes. Some discussion took place as to whether the Races should be postponed, as to whether the ground was so bad that the horses would be injured, and, if so, whether it would not interfere with the engagements. It was decided that by the rule of the Australian Jockey Club, the Races should be postponed.

question raised by Mr. Northwick, as to whether stewards had the power of postponing the race, and, if so, whether it would not interfere with engagements. It was decided that by the rule of the Australian Jockey Club.

A meeting of the friends of the late Dr. M. W. H. was held at the Northumberland Hotel, on the evening of Mr. F. D. Dugan's address, at which the following resolutions were unanimously carried:—Moved by Mr. Vindin, J. P., and seconded by Mr. Eckford, M. P., "That this meeting regret the sense of the loss sustained to the district by the death of Dr. Macarney, and its sympathy be expressed to his family and friends." Moved by Mr. Parsons, and seconded by Mr. White, J. P., "That, with a view to assist the wife and family of the late Dr. Macarney, subscribers be invited." Moved by Mr. E. Swire, and seconded by Mr. Hoston, "That Mr. F. M. Doyle be requested to forward to the friends of the late Dr. Macarney the power; and also to hold engagements entered into would be held. It then moved to the second resolution, Mr. H. Vindin, and carried, "That the representatives of the district be requested to be present at the postponed until the 8th, 9th, and 10th of August, that they should positively come off on those dates under any circumstances. The meeting then adjourned.

The streets are in an awful state. The fire I spoke of in a late communication, with my streets are covered, and which has rendered so impassable, I learn is what is termed bush fire, and has been burning for some time from Morpeth to Campbell's Hill, at an extent of 15000. The majority of the inhabitants are inexperienced staff; but the Government officials expect it and pronounce it the right material for the purpose of the Government. It has been applied. Time only will show who is in the flour in good demand, at \$26 fine, and \$24. Wheat (none offering), 8s. 9d. per bushel. M. 6d. per bushel—no great quantity offering, in consequence of the inclemency of the weather.

—**SUCIDE ON THE BILLABONG.**—On Thursday morning, the 11th inst., the house at Widdowson's, near Walker's station, on the Billabong, was visited by a man, who committed suicide by cutting his throat. Dr. Sheehan, who was present, says that the man was a settler, but the man was dead before he arrived at the doctor's house.

—**RE-ENTRY OF A MAJOR-GENERAL.**—A correspondent of the *Town and Country Herald* thus notices the departure of a gallant old soldier from Victoria, for the frontiers of New Zealand:—If the man (as the writer) is a settler, he is not a soldier, but another in military service, when a veteran soldier, who has faithfully served his country, and retired into full *disgrace*, is called forth to the field to return to the front, and fight with his countrymen or military. Spectators of the sight of a clergy, high officials, ladies, and citizens of all

— whilst they choked with "Gentlemen, God bless you," were almost unable to give the Saxons a word to comfort them. The speaker, who had been so long and so eloquently abused, and who infinitely more stamps the man of letters than of letters, said, "I thank you for distinguished services"—a pension that family nor Parliamentary influence can give those who witnessed the son-in-law (all dignified and dignified) of the venerable man as he entered H.M.S. Victor, and this was by none more responded to than by the Viceroy and ladies—to whom he thus addressed his thanks. In the command of the ship, the escort, and Captain Moody, the command of guard of honour—"Convey," said the General, "these gentlemen my sincere thanks for the part they have taken in the expedition which I have deserved; and once more, in the name of good-bye, desire my thanks again." It was invidious to mention names, but the General comprises officers and men whose breasts are glowing with gallantry in the Crimea, and burn to avenge New Zealand.

On the authority of one of the most interesting group-mongers in Melbourne, the *Ballarat Argus*, gives the following tale of olden times:

"Two gentlemen, whose names have lately become before the public as newly-created Benedicts, doubtless, that their days of single-blessedness were numbered, after some hours and late-keeping hereabouts became the accepted and the usual way out together to a late hour. Returning a jovial mood, they reached "the castle-gate suddenly an unknown voice cried "stand! stand!" and a brilliant bayonet was held up to our heroes, and the words "pass—pass from wine or wickedness deponent syneth pass—word was refused—and so was ad Mindful of Nelson's Trafalgar flag, the volunteers stand his duty. At length, after much explanation was given, the words "pass—pass—Pass." And so the gate was opened, and the

adventure of a night was wound up by an order of the Majesty's army being made to understand that the Chinese were to be kept under close vigilance by night as well as by day, the glory of being true to one's post is not shared by the sturdy Roman who was robbed of his "entry-box at Pompeii." With only a few narrow servants left in the Conspicue, the narrow escaped the gallows, in consequence of certain habits of a certain magpie, is the story of our readers, either in its humbly derived or its grandiose style, of the opera of "La Ladra." The *Castelmaine* is a story through another bird whose recognition of the different *neum* and *trium* was excessively vague and satisfactory. Our contemporary states that "it is a very serious loss from the supplanting of those who come under the surveillance of the though the offender may in some way be connected with the habits of the Chinese, being a Coch-

INDIAN CRUELTY.—In truth, the Indians are merely unloving but even cruel to all dogs. Some time back I witnessed the following scene. An Indian shot one of his dogs, a handsome black dog, and then he lay him dead on the grass, in order to offer it as a sacrifice at a coming feast. The dog lay on its back, its head resting on its own blood, and its hind legs were bent at the knees.

Indiana's round it quite callous, and was the death struggle. The little cannon boys, however, came up and shot their blunted arrows at the horses, and the infuriated animals, seeing their feet into the gaping wounds, reared and plunged longer bite them, so they most richly deserved "Thou wretched brute," one yelled, "why dost howl so?" as if meaning to say to it, as the other said, "Thou wretched brute, why dost thou howl so!" They are at times equally as barbarous to their horses; and, indeed, the same wounds, suffering, and blood, seems to render them more enraged than usual.—*Wandering* *Lake Superior*.

BAD BETTER THAN NONE.—A married woman telling a staid lady, somewhat on the wrong side of the middle-aged domestic troubles, which she is attributing to the irregularities of her husband, said, "Well, and the old maid who has no such troubles on yourself, I told you of her husband was sure he would not make you a good husband, but a good one, to be sure, madam,"

THE WOMAN.

Only he is a power better than mine.

gov.au/nla.news-pag

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The Premises 1-5 known as the Leather Bottle Public-house, adjoining the Prince of Wales Theatre, in Castle-

T W. BOWDEN is instructed by the Official Assignee, in the Estate of the late Mr. Joseph Wyatt to sell by auction, at the Land & Estate Rooms, 410, George-street, THIS DAY, the 2nd of August, at 11 o'clock,
All the official assignee's interest in and to a long lease

of the premises, adjoining the Prince of Wales Theatre on the north side, and formerly known as the Leather Bottle public-house, a small portion of which is sub-let to one tenant for £300 per year, leaving a very large portion of the premises available for the erection of shops, a saloon, or public-house. A plan, on view at the rooms, will show the portions sub-let and that which remains applicable for various purposes. The available frontage to Castle-

The whole is described in the lease as "All that parcel of land, situated in Sydney, parish of Saint James, containing by admeasurement one rood six perches, more or less, allotment No. 17 of section No. 33; bounded on the east by Castlereagh-street, bearing north 87 degrees north 304 links; on the north by allotment No. 18, bearing west 303 degrees north 304 links; on the west by allotment No.

11, bearing south 4 degrees east 100 links; and on the south by allotment No. 16 300 links to Ouchlough-street, together with the messuages and tenements thereon erected."

☞ The auctioneer will have much pleasure in giving any further particulars that may be required.

Terms at sale.

Weekly Produce Sale.

Wool, Tallow, Sheepskins, Hides, &c.

MORT and CO. will sell by public auction, at the Produce Stores, Circular Quay, **THIS DAY (Thursday), 2nd August, at 11 o'clock precisely,**

17 bales wool
32 sacks tallow

1113 sheepskins
407 hides, &c. Terms, cash.

Postponed to **TUESDAY, 7th August**, in consequence of
the wet weather.

KENT-STREET, near KING-STREET.
VERY VALUABLE BLOCK OF LAND, having a

MORT and CO. have been instructed to sell
by public auction, at the Rooms, Pitt-street,
at 11 o'clock, on **TUESDAY, 7th August,**
A VERY VALUABLE BLOCK OF LAND, close to

the CORNER OF KENT AND KING STREETS, having a frontage of 30 feet, more or less, to Kent street, by a depth of 55 feet, more or less.

Upon the above is the remains of a weatherboard cottage, No. 152.

This corner block, from its IMMEDIATE PROXIMITY TO KING-STREET is valuable as a site for a place of business, being close to one of our principal commercial thoroughfares, and in a locality where land is

not easily obtained. There is a splendid quarry of stone on the ground for building purposes, which would materially reduce the cost of any premises the purchaser might desire to erect upon it.

PLAN on view at the Rooms.

Postponed to TUESDAY, 7th August, in consequence of the wet weather.

**BROUGHAM-PLACE, PITT-STREET.
TWO-STORY BRICK-BUILT HOUSE.**

**Title unquestionable,
Terms at sale.**

MORT and CO. have received instructions
to sell by public auction, at the Rooms, Pitt-
street, at 11 o'clock, **THURSDAY 7th August.**

A TWO-STORY BRICK-BUILT HOUSE, containing four rooms, with entrance hall, and landing, having a frontage of 154 feet to **BROOMHAM-PLACE**. Each room is fitted with fireplace, and water is laid on the whole building is in substantial repair.

ON The above property, situate on the north side of Broomham-place, is now let to a very respectable tenant, and from the position will always command a rental above

Postponed to TUESDAY, 7th August, in consequence of the wet weather.

By order of the sole devisee under the will of the late Mr. JOHN M'INTOSH, with the consent of the mortgagee

HUNTER'S HILL, PARAMATTA RIVER.
ROSE HILL, COTTAGE AND GARDEN &c.

TERMS.—Half the purchase money may remain secured upon the property.

MORT AND CO. have been instructed by the sole devisees of the late Mr. John M'Intosh

with the consent of the mortgagee, to sell by public auction at the Rooms, Pitt-street, at 11 o'clock on **TUESDAY, 7th August,**

ROSE HILL, PARRAMATTA RIVER, a commodious Cottage Residence, built of stone, containing verandah, hall, seven lofty rooms, with detached kitchen, store-room, &c., yard, and abundance of water.

The HOUSE is substantially built, well finished, and in beautiful order.

* Parties on the look-out for a delightful residence within easy access of the city, would do well to inspect the property prior to the sale. It is in the market for **POSITIVE SALE**, and whether as a residence or as a matter of investment, is well worthy of attention.

Postponed to **TUESDAY, 7th August**, in consequence of the wet weather.

MORT and CO. have received instructions to sell by public auction, at the Rooms, Pitt-street, at 11 o'clock on **THURSDAY**, 7th. at

A snug and compact homestead, situated on the **PARRAMATTA ROAD**, about 15 miles from Sydney, 3 MILES FROM PARRAMATTA, and 1 MILE FROM the **HASLAM'S CREEK STATION**, and within 100 yards of Willbrow's public-house.

It contains 13 acres, all of which are enclosed with substantial rail fence, and 7 acres cleared and ready for cultivation; 3 acres laid out as garden, with fruit trees, &c. There is also a substantial weatherboarded

chimney, containing verandah, 5 rooms, and attached brick-built kitchen, flagged; hay and corn shed, store-house, fowl-house, &c. A neat parapet wall, surmounted with railings, with two gates for carriage entrance, fronts the property.

☞ To persons desirous of securing a retreat from the bustle and anxiety of a town life, this property offers very great advantages. It is in the market for bona fide sale, and the purchaser who resides in the neighbourhood of the property, will find it a most desirable one.

to give any information regarding respecting the same.

Butchers. Butchers. Butchers.

MR. W. FULLAGAR has received instructions from G. R. Higgins, Esq., to sell, at his Yard, Western Road, **THIS DAY, the 2nd of August, at 12 o'clock,**

MR. W. FULLAGAR has received instructions from Messrs. G. and E. Rouse, to sell, at his Yards, Western Road, **THIS DAY,** the 2nd August, at 12 o'clock,

MR. W. FULLAGAR has received instructions from Mr. John Hesley, to sell, at his Yards, Western Road, THIS DAY, the 2nd August, at 12 o'clock,
160 head of prime fat cattle, in lots to suit purchasers.

Butchers. Butchers. Butchers.

MR. W. FULLAGAR has received instructions to sell at his Yards, Western Road, **THIS DAY, Thursday, the 2nd of August, at 12 o'clock,** 1230 prime fat sheep, in lots to suit purchasers.

In the Supreme Court of New South Wales.
Sheep's Office, Sydney, 1st August.

ON SATURDAY next, the 4th instant, at 10 a.m., on the premises in the occupation of the defendant (the Old House in Park-street, Sydney), the **SHERIFF** will cause to be sold by public auction, unless this execution be previously satisfied,
The defendant's stock-in-trade, consisting of

and every man and woman, children's cots and cradles, easy and elegant chairs, household furniture, and a great quantity of basket ware.

